

# **EPA Jacket 72007-1**

## **Vol.5, Part 1**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

January 31, 2019

Mark Matheny  
President, UDAP Industries, Inc.  
1703 Waterline Road  
Butte, MT 59701

Subject: Formulation Notification per Pesticide Registration Notice (PRN) 98-10 [REDACTED]

[REDACTED]  
Product Name: UDAP Pepper Power Bear Deterrent  
EPA Registration Number: 72007-1  
Application Date: 12/10/2018  
OPP Decision Number: 547088

Dear Mr. Matheny,

The U.S. Environmental Protection Agency (EPA) is in receipt of your application for notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Biopesticides and Pollution Prevention Division (BPPD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The Confidential Statement of Formula (CSF) submitted with this application has been stamped "Notification" and will be placed in our records. Please note that the record for this product currently contains the following acceptable CSF:

- Basic CSF dated 1/31/2019

Any CSFs other than that listed above are superseded/no longer valid.

If you have any questions, please contact Gina Burnett by phone at (703) 605-0513 or via email at [burnett.gina@epa.gov](mailto:burnett.gina@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew C. Bryceland". The signature is fluid and cursive, with a large initial "A" and a stylized "B".

Andrew Bryceland, Team Leader  
Biochemical Branch  
Biopesticides and Pollution  
Prevention Division (7511P)  
Office of Pesticide Programs

UDAP Industries Inc.  
1703 Waterline Road  
Butte, MT 59701  
Ph: 406-494-9292  
Fax: 406-494-9797

December 10, 2018

TO: US Environmental Protection Agency  
Office of Pesticide Programs  
Linda Hollis Mail Stop 7511P  
Ariel Rios Building  
1200 Pennsylvania Ave. NW  
Washington, D.C. 20460-0001

RE: UDAP Pepper Power Bear Deterrent  
EPA Registration Number 72007-1  
[REDACTED]

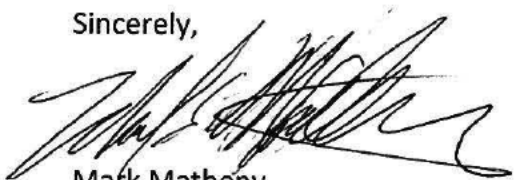
 **CONFIDENTIAL**

Dear Linda Hollis,

With this letter, UDAP industries, Inc. submits the attached notification on EPA form 8570-1 to include the

[REDACTED]

Sincerely,



Mark Matheny  
President  
UDAP Industries, Inc.

\*Claimed confidential by submitter\*



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

Registration  
Amendment  
Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 72007-1	2. EPA Product Manager Linda Hollis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) UDAP Pepper Power Bear Deterrent	PM#	
5. Name and Address of Applicant (Include ZIP Code) UDAP Industries, Inc. 1703 Waterline road Butte, MT 598701 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. 72007-1 Product Name UDAP Pepper Power Bear Deterrent	

### Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

**! CONFIDENTIAL**

UDAP Pepper Power Bear Deterrent EPA registration # 72007-1

### Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	
				<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted					
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input type="checkbox"/> Other _____	

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Mark Matheny	Title President	Telephone No. (Include Area Code) 406-494-9292
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title President	
4. Typed Name Mark Matheny	5. Date December 07, 2018	

# PROCESSING REQUEST

Reg # 72007-1

Decision # 545985

Added a new Alternate Brand Name

**Electronic Label & Letter**  
(see PPLS):

OR

**Non Electronic  
Label & Letter**  
(Scanning required):

☐ Dated: Does not apply

☐ Dated:

\*\*\*Only one label type should be selected\*\*\*

**Other Materials Sent** (see jacket):

☐ New CSF(s) Dated:

☐ Other:

File this coversheet and attached materials in the jacket. It must be well organized and clipped together, NOT STAPLED. Then give the jacket with the coversheet and materials to staff in the Information Services Center (ISC) (Room S-4900). If a jacket is full or only available as an image, please file materials in a new jacket and bring it down to the (ISC). For further information please call 703-605-0716.

**Reviewer: Sandra Owusu-Ansah**

**Division: BPPD/BPD**

**Phone: 703-347-0350**

**Date: 11/28/2018**





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460**

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

November 28, 2018

Mr. Tim Lynch  
General Manager  
USAP Industries, Inc.  
1703 Waterline Road  
Butte, MT 59701

**Subject:** Labeling Notification per Pesticide Registration Notice (PRN) 98-10 – Add the alternate brand name “Griz Guard® Bear Spray” to the product list.  
Product Name: UDAP Pepper Power Bear Deterrent  
EPA Registration Number: 72007-1  
Application Date: 11/08/2019  
OPP Decision Number: 545985

Dear Mr. Lynch:

The U.S. Environmental Protection Agency (EPA) is in receipt of your application for notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Biopesticides and Pollution Prevention Division (BPPD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The labeling submitted with this application has been stamped “Notification” and will be placed in our records. The alternate brand name “Griz Guard® Bear Spray” has been added to the product’s records. You must submit one (1) copy of the final printed labeling with the modifications.

Should you wish to add/retain a reference to your company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and is subject to review by the EPA. If the website is false or misleading, the product will be considered to be misbranded and sale or distribution of the product is unlawful under FIFRA section 12(a)(1)(E). 40 CFR § 156.10(a)(5) lists examples of statements the EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the EPA find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA-approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance Assurance.

Page 2 of 2  
EPA Reg. No. 72007-1  
OPP Decision No. 545985

If you have any questions, please contact Sandra Owusu-Ansah of my team by phone at (703) 347-0350 or via email at [owusu-ansah.sandra@epa.gov](mailto:owusu-ansah.sandra@epa.gov).

Sincerely,

A handwritten signature in black ink, reading "Andrew C. Bryceland". The signature is fluid and cursive, with the first name "Andrew" and last name "Bryceland" clearly legible.

Andrew Bryceland, Team Leader  
Biochemical Pesticides Branch  
Biopesticides and Pollution  
Prevention Division (7511P)  
Office of Pesticide Programs



S: 1027315

Milestone Email:

Regulatory Type: Product Registration - Section 3

Resubmission: ☐ Yes ☒ No

Print Letter

Application Type: Notification

Fee For Service: ☐ Yes ☒ No

Enter More Information

Company: 72007 UDAP INDUSTRIES, INC.

V

Tracking

Risk Manager: Biologicals & Pollution Prevention Division, PM Team 91

Product #: 72007-1

Product Name: UDAP PEPPER POWER BEAR DETERRENT

Override#:

Me Too  
Section3:

Me Too Product  
Name:

Application Date: 08-Nov-2018



OPP Rec'd Date: 13-Nov-2018



Front End Date: 13-Nov-2018



Risk Manager Send Date: 13-Nov-2018



FFS Due Date:

Negotiated Due Date:

OPP Target Date:

Fast Track: ☐ eCSF Ind: ☐ SmartLabel Ind: ☐ New Ingredient: ☐

Receipt Description:

Notification to add Alternate Brand Name per PR Notice 98-10

New Ingredient

Request Date:

New Ingredient

Received Date:

D-545985

Form A: ☐ Signature Date:

Form B: ☐ Signature Date:

Receipt Content	Des
Other	Cover Letter/Applicat
<	>

View/Edit

*Tandra*

*[Signature]*

*ready to close*



United States  
Environmental Protection Agency  
Washington, DC 20460

☐ Registration  
☐ Amendment  
☒ Other

OPP Identifier Number

## Application for Pesticide - Section I

1. Company/Product Number 72007-1	2. EPA Product Manager Linda Hollis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) UDAP Pepper Power Bear Deterrent	PM#	
5. Name and Address of Applicant (Include ZIP Code) UDAP Industries, Inc. 1703 Waterline Road Butte, MT 59701  <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. 72007-1 Product Name UDAP Pepper Power Bear Deterrent	

## Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

UDAP Pepper Power Bear Deterrent EPA registration # 72007-1 (Primary Brand Name) submits this notification to add the (Alternate Brand Name) per PR Notice 98-10 of "Griz Guard® Bear Spray" to the registration.

## Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Text No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container	Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____			

## Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Tim Lynch	Title General Manager	Telephone No. (Include Area Code) 406-494-9292
<b>Certification</b> I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title General Manager	
4. Typed Name Tim Lynch	5. Date November 8, 2018	

UDAP Industries Inc.  
1703 Waterline Road  
Butte, MT 59701  
Ph: 406-494-9292  
Fax: 406-494-9797

November 8, 2018

**TO:** US Environmental Protection Agency  
Office of Pesticide Programs  
Linda Hollis Mail Stop 7511P  
Ariel Rios Building  
1200 Pennsylvania Ave. NW  
Washington, D.C. 20460-0001

**RE: UDAP Pepper Power Bear Deterrent**  
**EPA Registration Number 72007-1**  
**Notification of Alternate Brand Name "Griz Guard®"**

Dear Linda Hollis,

With this letter, UDAP industries, Inc. submits the attached notification on EPA form 8570-1 and per PR Notice 98-10 to include the Alternate Brand Name "Griz Guard®" to UDAP's registration number 72007-1. "UDAP Pepper Power" will remain the Primary Brand Name and "Griz Guard®" will be an Alternative Brand Name.

Please contact me if you have any questions regarding the addition of this alternate brand name to the registration.

Sincerely,



Tim Lynch  
General Manager  
UDAP Industries, Inc.  
[TimL@UDAP.com](mailto:TimL@UDAP.com)





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

**JUL 29 2014**

Tim Lynch  
UDAP Industries, Inc.  
1703 Waterline Road  
Butte, MT 59701

Subject: Follow Up to Registration Amendment to add two new spray actuator styles, The Kodiak MK-10-W (Safety Wedge Style) and Kodiak MD-12-S (Safety Slide Style), for the product line.  
UDAP Pepper Power Bear Deterrent  
EPA Reg. No.: 72007-1  
Your submission dated November 5, 2013  
Decision Number: 485599, PRIA Category B680

Dear Mr. Lynch:

On March 6, 2014, the U.S. Environmental Protection Agency (EPA) approved your label amendment to add two new spray actuator styles to your product line. The label amendment included the following labeling claim: "This canister completely empties in approximately 7.9 seconds [380g container], 7 seconds [260g container], 6 seconds [225g container]. Product tested at 30°F." You submitted data to support this labeling claim in MRID 492610-01 and on page 19 of the MRID you indicated, "This test was performed during the winter in Casper WY in an unheated metal tear gas testing range. The temperature was 30 degrees Fahrenheit." EPA followed up with you in an email dated June 4, 2014 and asked why you tested your product at this temperature of 30°F. You indicated in an email dated June 10, 2014 the following, "To answer your question, we live in the northwest and this just happened to be the temperature when we tested it. The analysis of this is this test is proving very important as bears emerged from their dens in mid-February this year and government officials were already reminding the public to carry bear spray. It is now June and we are still seeing temperatures here in the 30's. On Sunday on the 1st of June, a man was severely injured in a bear attack in Beaverhead County Montana. Today has a low of 35 Degrees here in Butte Montana."

After further review of your label amendment and in consideration of your June 10, 2014 response, the EPA is recommending that you submit spray test data using these two new spray actuator styles at a higher temperature (i.e., at a normal room temperature of approximately 70°F). You have submitted spray test data previously that was tested around this higher temperature for different spray actuator styles and your website (<http://www.udap.com/Bearspecifications.htm>) provides the user with spray test data tested at 80°F. Although the previous spray test data and the information on your website are helpful, EPA would like to determine if there are any differences in the use of your product when the only testing variable is temperature. EPA believes that this new spray test data at a higher temperature (i.e., at a normal room temperature of approximately 70°F) is valuable information because your product can be used at different times of the year and in different geographic regions that would have these

higher temperatures. In addition, bears are more active during these warmer months of the year. When you submit this new spray test data, you will need to revise your label to include the results from this new data and to list both testing temperatures.

In addition, EPA considers the label dated March 6, 2014 no longer acceptable for these two new spray actuator styles and is rescinding the March 6, 2014 by way of this letter. To update the label per the current amendment, the following changes are required: 1) revise the second sentence in the pesticide storage statement to read, "Do not store in places where the temperature is above 120°F or below 30°F." and 2) in your directions for use section under use restrictions, add the following sentence, "Only use this product in areas where temperatures are approximately 30°F."

Please contact EPA immediately with your response and indicate when you expect to submit the new spray testing data conducted at a higher temperature. Should you have any questions, you may contact Mr. Colin Walsh directly at (703) 308-0298 or via email at [walsh.colin@epa.gov](mailto:walsh.colin@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Linda A. Hollis", is positioned above the typed name.

Linda A. Hollis, Chief  
Biochemical Pesticides Branch  
Biopesticides and Pollution  
Prevention Division (7511P)

